

JFW

Practitioner's Docket No. ST8803.1US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Centanni et al.

Confirmation No. 7251

Application No.: 10/815,315

Group No.: 3742

Filed: April 1, 2004

Examiner: Philip H. Leung

For: HEATING APPARATUS FOR VAPORIZER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

URGENT

LETTER

Dear Sir:

Enclosed please find the Amendment, Request and Fee to Add an Erroneously Omitted Inventor under 37 C.F.R. § 1.48(a) for the above-identified patent application. The enclosed documents were originally filed November 17, 2004 by mailing to Mail Stop Commissioner for Patents. A copy of a post card acknowledging receipt by the USPTO on November 19, 2004 is also enclosed. The USPTO was contacted on February 14, 2005 for a status update concerning acceptance of the requested inventorship change. The applicant was informed that because the documents were mailed to Mail Stop Commissioner for Patents they were not received in the appropriate office (i.e., Petitions). Accordingly, the applicants now resubmits the documents originally filed on November 17, 2004. It is respectfully requested that the enclosed documents now be considered to correct the inventorship of the present application.

Please note the Issue Fee for this application is due **April 5, 2005**. Accordingly, expedited handling is respectfully requested.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

___ facsimile transmitted to the Patent and Trademark Office, (703) ___ - ___

Signature

Laura K. Cahill

(Type or print name of person certifying)

Date: **February 14, 2005**

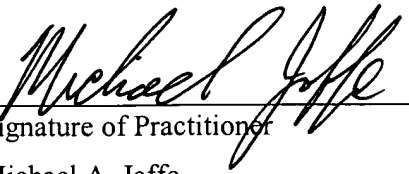
* Only the date of filing (1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Date: **February 14, 2005**

Reg. No.: 36,326

Tel. No.: 440-684-1090

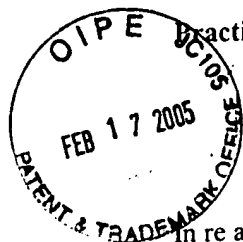
Customer No.: 22203



Signature of Practitioner

Michael A. Jaffe

Kusner & Jaffe
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, OH 44143



Practitioner's Docket No. ST8803US.CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael A. Centanni

Confirmation No. 7251

Application No.: 10/815,315

Group No.: 3742

Filed: April 1, 2004

Examiner: Philip H. Leung

For: HEATING APPARATUS FOR VAPORIZER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT, REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on April 1, 2004.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

____ facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: November 17, 2004

Laura K. Cahill

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. Addition of Inventors

Add the following previously unnamed persons as inventors of this application:

Aaron L. Hill
8935 Horseshoe Drive
Erie, Pennsylvania 16510
U.S. Citizen

Francis J. Zelina
707 Culbertson Drive
Lake City, Pennsylvania 16423
U.S. Citizen

3. Attachments

Attached is:

(a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) A declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

(c) Written consent of the assignee. 37 C.F.R. § 1.48(a)(5).

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required by 37 C.F.R. § 1.17(i) is paid as follows:

Authorization is hereby made to charge the amount of \$130.00 to Credit card as shown on the attached credit card information authorization form PTO-2038.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0537.

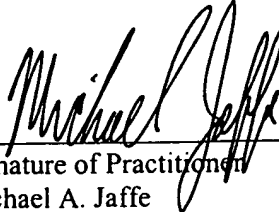
A duplicate of this paper is attached.

Date: November 17, 2004

Reg. No.: 36,326

Tel. No.: 440-684-1090

Customer No.: 22203



Signature of Practitioner
Michael A. Jaffe

Kusner & Jaffe
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, OH 44143

STATEMENT OF ERROR WITHOUT DECEPTIVE INTENT
ON THE PART OF THE INVENTORS OMITTED
IN PROVISIONAL APPLICATION
(37 C.F.R. § 1.48(d)(1))

1. Identification of omitted inventors to which this statement is being made:

Aaron L. Hill
8935 Horseshoe Drive
Erie, Pennsylvania 16510

Francis J. Zelina
707 Culbertson Drive
Lake City, Pennsylvania 16423

2. I, a person signing below, hereby state that the error in omitting the names of the inventors, as set forth in the foregoing petition under 37 C.F.R. § 1.48(d), occurred by error, without deceptive intent:

Date: 11/8/07

Aaron L. Hill
Signature: Aaron L. Hill

Date: 11-8-07

Francis J. Zelina
Signature: Francis J. Zelina

**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a continuation-in-part (C-I-P) application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

HEATING APPARATUS FOR VAPORIZER

SPECIFICATION IDENTIFICATION

The specification was filed on April 1, 2004, as Serial No. 10/815,315.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS
UNDER 35 U.S.C. 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States applications or PCT international applications designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior applications and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS			Status	
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 10/167,910	12 JUN 02	X		

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

Mark Kusner
Michael A. Jaffe
Thomas D. McClure, Jr.
Michael A. Centanni

REGISTRATION NUMBER(S)

31,115
36,326
54,302
34,796

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

Michael A. Jaffe
Kusner & Jaffe
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, OH 44143

DIRECT TELEPHONE CALLS TO:

Michael A. Jaffe
440-684-1090

Customer No. 22203

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Michael A. Centanni

Inventor's signature

Date 11/9/04

Country of Citizenship U.S.

Residence Parma, Ohio 44130

Post Office Address 7335 Beresford Avenue, Parma, Ohio 44130

Aaron L. Hill

Inventor's signature

Date 11/3/04

Country of Citizenship U.S.

Residence Erie, Pennsylvania 16510

Post Office Address 8935 Horseshoe Drive, Erie, Pennsylvania 16510

Francis J. Zelina

Inventor's signature

Date 11-8-04

Country of Citizenship U.S.

Residence Lake City, Pennsylvania 16423

Post Office Address 707 Culbertson Drive, Lake City, Pennsylvania 16423

PATENT

Practitioner's Docket No. ST8803US.CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael A. Centanni

Confirmation No.: 7251

Application No.: 10/815,315

Group No.: 3742

Filed: April 1, 2004

Examiner: Philip H. Leung

For: HEATING APPARATUS FOR VAPORIZER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTORS

Name of Assignee:

STERIS Inc.

Address of Assignee:

43425 Business Park Drive
Temecula, California 92590

Assignment is recorded herewith.

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed herewith.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, (703) _____

Signature

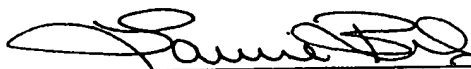
Date: November 17, 2004

Laura K. Cahill

(type or print name of person certifying)

RIGHT OF ASSIGNEE TO TAKE ACTION

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

A handwritten signature in black ink, appearing to read "Laurie Brias", is written over a horizontal line.

Signature: Laurie Brias
President, STERIS Inc.



PTO/SB/96 (09-04)

Approved for use through 07/31/2006: OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Centanni et al.Application No./Patent No.: 10/815,315 Filed/Issue Date: April 1, 2004Entitled: HEATING APPARATUS FOR VAPORIZERSTERIS Inc.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015173, Frame 0649, and for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Laurie Brilas

Printed or Typed Name

President

Title

11-16-04

Date

(440) 354-2600

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

For: U.S. Rights and Foreign Rights
For: U.S. Application
By: Inventors

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Aaron L. Hill
8935 Horseshoe Drive
Erie, Pennsylvania 16510
Nationality: U.S.

Francis J. Zelina
707 Culbertson Drive
Lake City, Pennsylvania 16423
Nationality: U.S.

hereby sell, assign and transfer to

ASSIGNEE:

STERIS Inc.
43425 Business Park Drive
Temecula, California 92590
A Delaware Corporation

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

HEATING APPARATUS FOR VAPORIZER

and which is found in (37 C.F.R. Section 3.21) U.S. Patent Application Serial No. 10/815,315 executed on April 1, 2004 and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

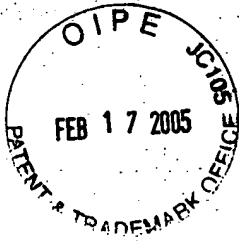
IN WITNESS WHEREOF, We have hereunto set hand and seal.

Date: 11/8/04

Aaron L. Hill
Signature of Aaron L. Hill

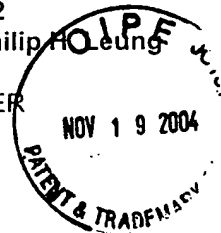
Date: 11-8-04

Francis J. Zelina
Signature of Francis J. Zelina



PTO ACKNOWLEDGEMENT POSTCARD

Date Mailed: November 17, 2004 First Class Mail
Application Type: Filed
Application No.: 10/815,315 Art Unit: 3742
Customer No.: 22203 Examiner: Philip H. Young
Inventors: Michael A. Centanni
Invention Title: HEATING APPARATUS FOR VAPORIZER
Docket No.: ST8803US.CIP



DOCUMENTS MAILED:

- 1) Amdt, Request and Fee to Add to Originally Named Inventor – 2 pages
- 2) Statement of Error without Deceptive Intent – 1 page
- 3) Combined Declaration/Power of Attorney - 2 pages
- 4) Assent of Assignee to Correction and Addition of Inventors – 2 pages
- 5) Statement Under 37 CFR 3.73(b) – w/attachments – 3 pages
- 6) Form PTO-2038 – 1 page

Charge the amount of \$130.00 to credit card. PTO-2038 is attached.

Charge Account 50-0537 for any fee deficiency required by the filing of the papers submitted herewith.

CONTACT PERSON: Michael A. Jaffe, Esq. CONTACT NO.: 440-684-1090